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ABSTRACT

To contribute to knowledge of how limited resources affect education agencies' ability to maintain and improve educational quality, this paper examines the services California's county education offices must provide. Specifically, it identifies state-mandated functions of county education offices and analyzes how Santa Clara County is meeting these mandates, and how other counties are meeting mandates related to business services. Chapter one presents a brief introduction and provides background information regarding the problem. This is followed by a statement of the problem and major questions to be answered by the study. The significance of the study is identified and its methodology is briefly described. Definitions of terms used in the study are included, followed by a list of factors limiting the study. Chapter two reviews the related literature. Chapter three describes in greater detail the methodology employed in the study. Chapter four discusses the study's findings. Finally, Chapter five briefly summarizes the study, reviews the major findings, and presents recommendations for further research and governmental action. The report is followed by a list of references, including interviewees, and appendixes presenting tabular information on the county offices studied and a copy of the survey used to gather data from those offices. (MCG)

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MAJOR STATE MANDATES FOR CALIFORNIA COUNTY OFFICES OF EDUCATION: THE VIEW FROM SANTA CLARA

A Research Paper

Presented to

The Faculty of the School of Education

San Jose State University

In Partial Fulfillment

of the Requirements for the Degree

Master of Arts

Plan B

By

Linda Buchser

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CHAPTER ONE

Introduction

That schools are facing a financial crisis is not news. Varied and complex demands are being made on limited resources. Legislators want accountability; parents -- special programs; business -- more basics; and educators cry for money.

In 1983 education came into national focus through a wave of reports and studies of American schools. These accounts, which have attempted to define the educational problems of the nation and suggest solutions, have resulted in a new concentration on educational issues. Suddenly, corporate barons, Presidential candidates, university presidents and legislative leaders in the Congress and state capitols have mounted a crusade to improve schools. This new found enthusiasm for doing something about education is a shift for educators who in the '70s became accustomed to reduced funding and a media focused on shortcomings with little commitment to school improvement.

A most glaring omission of these studies, however, is any detailed plan for estimating or meeting the costs of their recommendations. Funding excellence will remain the most difficult of all issues raised by the call for school reform. It is highly unlikely that the federal government will assume any significant share of the costs. And, while maintaining a

vested interest in an improved educational system, corporate leaders have provided schools with some assistance; however, they have not yet issued any clear call to the business community to support increased taxes at state and local levels. In addition, the current nationwide apathy toward any form of added taxation is so strong that the political success of any significant increase in educational funds remains unlikely.

In California school funding has been a critical issue since the voters approved Proposition 13 in 1978. The passage of SB 813 in 1983 marked the first promise of relief. The gains, however, were small in comparison to the losses of the last few years, and it's doubtful that there will be substantial improvement in the near future.

In the 1984 legislative session, state lawmakers will have to deal with tax revenues that are lagging behind a slowly improving economy. Budget requests for education will try to recover funding lost since Proposition 13, plus continue to fund the reforms of SB 813, in addition to initiating new reforms. Money for education will continue to be a number one issue.

Background

Confronted with shrinking funds and conflicting demands, the Santa Clara County Office of Education in 1981 directed its attention to an officewide, long range planning process -- commonly called strategic planning. The purpose of strategic planning is to guide an organization toward clear, predetermined objectives which make the best use of available resources.

Strategic planning is a comprehensive approach to planning. It begins with defining the missions, or basic purposes, of an organization. It

goes on to analyze the environment in which the organization functions by examining how a myriad of influences (the economy, public attitudes, legislation, demographics) may affect its future. Next, the market or demand for services, provided by the organization is explored. Once these steps have been taken in a rational, systematic way, long range strategies can be formulated, objectives can be established, action plans developed, budgets written and evaluation designs created.

During the first two planning cycles, 1981-82 and 1982-83, a large base of information was collected on environmental trends and market needs. The Superintendent's Council and the Board of Education determined that it would be useful for setting policy and developing long range program plans to have a clear definition of the services that the Office was required, by law, to provide, and in the spring of 1983 they directed staff to develop an analysis and summary of the major state mandates for County Office of Education (COE) activities. The information would be used in early 1984 to determine future resource allocations and program directions. That was the impetus for this research project.

Statement of the Problem

The purpose of the research project is to identify the major State of California mandates for county offices of education, to analyze how the Santa Clara County Office of Education is meeting those mandates and, in addition to analyze how selected other county offices of education in California are meeting those mandates relating to business services.

Major Questions to be Answered

The study proposes to answer the following questions:

1. What are the major state mandated functions of county offices of education?
2. How is the Santa Clara County Office of Education meeting these mandates?
3. How are other county offices of education meeting those mandates relating to business services?

Need for the Study

Before determining how to allocate its resources, an organization must first determine its legal responsibilities. Through initial research, it was found that very little had been done in defining state mandates for county offices. This study will define those mandates. It is hoped that the resulting information will be valuable not only for the Santa Clara COE but that other county offices will profit from it also.

Brief Description of the Methodology

Chapter Three will provide a complete description of the methodology of the study. Briefly, the methodology will include a review of the literature; a review of applicable legal codes; a survey of 26 selected county offices of education and an analysis of Santa Clara County Office of Education programs to determine services and level of delivery; and finally an analysis of the collected information.

Definitions

For the purpose of this study, the major terms are defined as follows.

Mandates. Federal, state or local legislation, regulations or policies which, by law, an organization must comply with.

Education Code (E.C.) Laws passed by the California legislature which directly affect the administration of California Schools.

California Administrative Code (C.A.C.) Regulations issued by state agencies. The State Department of Education publishes its regulations in Title V of the C.A.C.

Special Schools Division. One of the three divisions of the Santa Clara County Office of Education -- the others being Business Administration and Instructional Services. The Special Schools Division provides programs and services for individuals with exceptional needs and handicapping conditions.

Functions. Functions are defined as activities requiring either a direct expenditure of money or an expenditure of money or enough staff time to have fiscal implications. For example, county superintendents are mandated to provide the order and notice of district elections to the county registrar. This requires little more than a phone call and, therefore, would not be considered a function. On the other hand, testing students' hearing and vision requires some time and expense and would be considered functional. Functions may be mandated or permissive. County offices are mandated to order large print materials for districts which request that service. However, while county offices are not required to provide data processing services to districts, they may elect to do so.

County Superintendents -- Appointment or Election. Article 9, §3 of the California State Constitution allows the voters of a county to decide if the county superintendent of schools will be elected by them or appointed by the county board of education.

County Offices of Education. A county office of education is an intermediate education agency providing services to both the state and the local school district. The State of California uses the 58 county superintendents' offices as control points for budgeting, data collection, attendance accounting and other services. In general, county offices operate across district lines. They have no student constituency of their own; each student served resides in a local school district. In effect, districts contract for services they themselves cannot offer efficiently.

Classes of County Offices. The 58 county offices of education in California are divided into 7 classes depending upon the total average daily attendance for all schools in the county. A breakdown of the classes by ADA will be found in Appendix A.

Limitations

The study is limited by the following factors:

1. While compiling information on the level of services provided by other county offices was not requested by the Council/Board directive, it was felt that such information would be beneficial to managers in their program planning. Surveys were developed in coordination with program managers. The Special Schools Division, an area where it was expected that a number of mandates would be found, choose not to participate. As a result, the survey was limited to other areas of district services.

2. It was decided to include in the survey nonmandated services in areas of instructional support which are generally considered key functions of county offices -- instructional services and professional and film libraries.
3. The quality and quantity of survey responses will limit the study.
4. Due to time constraints, only the Education Code was thoroughly reviewed. Areas of the other codes (California Administrative Code, Government Code, Welfare and Institutions Code) were reviewed as referenced in the Education Code or as directed by Legal Counsel.

Organization of the Study

This study is organized and presented in the following fashion.

Chapter One presents a brief introduction and provides background information regarding the problem. This is followed by a statement of the problem and major questions to be answered by the study. The significance of the study is identified together with a brief description of the methodology. Definition of terms used in the study are included, followed by the factors limiting the study. The chapter concludes with a description of the organization of the study.

Chapter Two will review the related literature. Chapter Three will provide a more detailed description of the methodology employed in the study. Chapter Four will discuss the findings of the study. And finally, Chapter Five will briefly summarize the study, review the major findings, and present recommendations.

CHAPTER TWO

REVIEW OF THE LITERATURE

At a time when schools face serious financial constraints, it becomes increasingly important for educators to plan carefully the allocation of resources. Both the administration and the Board of the Santa Clara County Office of Education realized that in order to give long range direction to program development and budget priorities, it was first necessary to determine the legal responsibilities of the Office. This study is an effort to make that determination: first, to discover what the major state mandated functions of county offices are; second, to analyze how the Santa Clara COE is meeting those mandates; and third, to learn how other county offices are meeting mandates related to business services. The purpose of this chapter is to discuss a literature review in the areas of the role and nature of the intermediate education agency and state mandated functions of county offices of education in California.

The Search

The literature review was a vital part of the research project. Examining all California code sections relating to education in order to develop a listing of those pertaining to county offices would be a

tremendous task, and there was no desire to duplicate a previous effort. However, it was understood that to be useful a listing would have to be current. Laws change daily, and new legislation is not chaptered into the codes chronologically but rather interspersed throughout existing chapters. Unfortunately, little was found through the review.

The search began with phone calls to various California state agencies to find out what information they had in the area or if they were aware of any studies that related to it. Calls were made to the Senate and Assembly Offices of Research, the Legislative Analysts Office, and, within the State Department of Education, the Office of Planning, Research and Evaluation, the California Assessment Program, the State Steering Committee on Curriculum Development, and Legal Counsel. While everyone agreed that a listing of state mandates for county offices of education would be valuable, no one knew of one existing.

A computer search of the Dialog data bases using the descriptors "mandates," "legal requirements," and "regional service agency" revealed nothing. The search was broadened by using only "regional service agency" and a listing of approximately 60 abstracts resulted. From these, only three related to intermediate education agencies or to mandated services. A manual search of theses at San Jose State University using the Library of Congress descriptor "intermediate service units (education)" found nothing. However, a search through the Professional Library and the Superintendent's files at the Santa Clara County Office of Education uncovered eight studies.

In addition, phone calls were made to Michigan, Florida and Nevada State Departments of Education to gather information on the role of the intermediate education agency in those states. The knowledge gained from these interviews is included here.

The literature fell into two areas -- the role of the intermediate education agency, in general, and the services that California county offices of education are required, by law, to provide.

The Role of the Intermediate Education Agency

During the past 50 years, as pointed out by Stephens, policy planners and decision makers at the state and local levels have used a number of structural approaches for the improvement of state and local systems of elementary and secondary education. In recent years, the most popular alternative is the formation of some type of intermediate education agency at sub-state levels. The use of this alternative gained its initial interest in the mid and late 1960s. At the same time there was a corresponding decline in the practice of reorganizing two or more local education agencies into larger administrative units, the structural alternative most widely used in the prior three decades.[1]

Interest in the intermediate educational agency accelerated in the decade of the 1970s. McIntyre found that by 1972, 60% of the nation's school systems were organized in some form using the three-tiered pattern of administration -- the state, intermediate and local levels. This continuing activity and growth of intermediate agencies illustrates the evolving awareness of contemporary educators to the necessity of the intermediate agency in the educational process.[2]

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[1]E. Robert Stephens, Major Policy Issues Surrounding the Education Service Agency Movement (Maryland: ESA Study Series, Report No. VII, June 1979), p. 1.

[2]Donald J. McIntyre, A Comparison of Educational Programs and Services Furnished by Exemplary Intermediate Units (Toledo, Ohio: The University of Toledo, 1976.

Stephens believes that the universal reasons or justifications for the existence of the intermediate agency is the extent to which it can contribute to (1) the equality of educational opportunity, (2) the quality of educational practice, (3) the effectiveness and efficiency of educational practice, (4) the state-local partnership, and (5) the synergistic capabilities of local districts and/or the state.[3]

Intermediate education agencies appear to be developing in three basic patterns in a large number of states -- the special district, the regionalized agency of the state education agency, and the cooperative intermediate agency.[4]

Special District. The special district is a legally established unit of school government sitting between the state education agency and a collection of local school districts. Generally, it is established by the state, or the state and local education agencies acting together, to provide services to both the state education agency and constituent local education agencies. Stephens holds that the special districts, when considered as a group, possess a large number of major strengths and only a few weaknesses. The strengths center on the structured mode of operation, the relatively stable fiscal support base, and the comprehensiveness of programs, services and staff. The major weakness appears to be the large number of individual units in many of the

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[3]E. Robert Stephens, Major Policy Issues Surrounding the Education Service Agency Movement, pp. 8-9.

[4]E. Robert Stephens, Major Policy Issues Surrounding the Education Service Agency Movement, pp. 1-2.

systems.[5] The intermediate units in California and Michigan are examples of special districts.

Regionalized Agency of the State Education Agency. The regionalized agency is a branch of the state education agency (SEA) and is established as an arm of the state to deliver services for the SEA. Three variations on units of this type are used: those providing administrative services only; those providing general services only; and those providing both administrative and general services. Stephens finds a number of major strengths in this type of system -- the structured organization and the relatively definite source of fiscal support. The major weakness is a limited ability to improve education at the local level.[6]

Cooperative Intermediate Education Agency. The cooperative unit is a loose consortium of local education agencies. This pattern is supported by the belief that the intermediate unit should be established by two or more local education agencies to provide services exclusively to members of the cooperative. These units may be multipurpose or single-purpose. Stephens perceives that the major strength of this type of system is the extensive involvement of the local education agency. The weaknesses center on a lack of organizational stability, a lack of definite funding sources and limitations in programs and services.[7]

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[5] E. Robert Stephens, Education Service Agencies: Status and Trends (Maryland: ESA Study Series, Report No. 1, June 1979), p. 271.

[6] E. Robert Stephens, Education Service Agencies: Status and Trends, p. 271.

[7] E. Robert Stephens, Education Service Agencies: Status and Trends, p. 271.

The three systems differ with regard to the four central characteristics of legal framework, governance arrangements, programs and services, and fiscal support. Inherent in each option are a number of policy issues of critical importance to the welfare of the service agencies and to the constituents of the agencies -- the local districts and/or the state. These issues focus on questions of state-local relations, local control of education, and the best use of resources.[8]

Lavin discusses different examples of educational cooperation and includes descriptions of several specific forms that have been developed in different states. He examines models of information networks in California, Texas, and Massachusetts and networks for individually guided education in Wisconsin, Massachusetts, Texas, Ohio and Connecticut.[9]

The legal provisions for delivering educational services to handicapped children on a cooperative basis is presented by Trudeau. Several organizational patterns are reported: statewide regional organization (New York's Board of Cooperative Educational Services is an example); regional education service centers providing distribution of instructional materials, consultative assistance, and inservice training to meet special education needs of local districts (Texas is an example); voluntary association of school districts into cooperatives to deliver special services, select personnel, and regulate financing; and special districts which concentrate on the delivery of specific education

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[8]E. Robert Stephens, Major Policy Issues Surrounding the Education Service Agency Movement, p. 4.

[9]Richard J Lavin; Jean E. Sanders, "Organizing for Improving Delivery of Educational Services in Massachusetts, Vol. 2: A Review of Educational Cooperatives and Their Various Forms" (Chelmsford, Massachusetts: Merrimack Education Center, 1974; ERIC Document Reproduction Services No. ED 098 692).

services.[10] It should be noted that the study was conducted in 1973, prior to the enactment of PL 94-142 in 1975 which significantly changed the legal provisions surrounding the delivery of special education.

In order to gather information on the current status of the intermediate education agency in specific states, the author interviewed State Department of Education administrators from Michigan, Florida and Nevada.

Michigan. Dr. James Phelps, Assistant State Superintendent of Schools, Research and Planning, Michigan State Department of Education.[11]

In Michigan the intermediate education agency is called an intermediate school district. There are 57 of these. All are drawn up along county lines and range from very large -- Wayne County where Detroit is located -- to very small. The governing boards are selected by the local district boards, and maintain a strong allegiance to their constituents. Superintendents are appointed by the boards.

The intermediate districts are not seen as control arms for the state but rather as service agencies. Their mandated functions are few -- registering teaching credentials and tracking student attendance. They have no audit responsibilities. They enforce certain special education

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[10] Elaine Trudeau, Legal Provisions for Delivery of Educational Services on a Cooperative Basis to Handicapped Children (Arlington, Virginia: Educational State-Federal Information Clearing House for Exceptional Children, 1973; ERIC Document Reproduction Services No. ED 081 126).

[11] James Phelps, Assistant State Superintendent of Schools Research and Planning, Michigan State Department of Education, telephone interview 4/13/84.

requirements, or they may run the special education programs themselves. Some operate vocational education skill centers. Many offer consultative services to districts. In urban areas where the local districts are larger, the intermediate district provides fewer services since the local districts are capable of providing for themselves. There is some jealousy between the local and intermediate districts: as local districts experience declining enrollments, they are anxious to pick up the direct instruction programs of the intermediate district. Some people believe that the intermediate districts should be reorganized into larger, regional agencies.

Florida. Dr. Ray Bazzell, Administrator, District Management Services, Florida State Department of Education.[12]

Florida does not have legally established intermediate education agencies. There are 67 counties in the state and each one constitutes a single, unified school district. The governing boards of these districts are elected; the superintendents are appointed by the boards or elected by the voters. The state department encourages districts to form consortiums or cooperatives for certain services, such as instructional resources or purchasing. In these cases one district provides the service or services to the other participating districts.

The State Department of Education provides technical assistance to the districts in several areas, including finance, curriculum, and staff development. The state contributes more than 75% of school funding and, except for certain programs which carry mandated guidelines, local decisions generally determine how state apportionments will be spent.

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[12]Ray Bazzell, Administrator, District Management Services, Florida State Department of Education, telephone interview 4/16/84.

Nevada. Dr. Herb Steffens, Director, Planning and Evaluation, Nevada State Department of Education.[13]

Like Florida, Nevada does not have legally established intermediate education agencies. There are 17 counties in the state with one unified school district serving each county. Superintendents are appointed by the governing boards. Over 90% of the 150,000 students in the state reside in urban districts -- 65% in Las Vegas, 20% in Reno, and 7% in Carson City. There is an informal movement among the smaller counties, the rural alliance, to share information. In Nevada local control is the religion, not just a concept. While the legislature apportions the money -- interestingly, the school funding formula is stable -- the locals control the budget. The local district is not subject to state approval.

Mandated Functions of California County Offices of Education

The intent of the research project was not to present an historical perspective on county office mandates, but rather to describe the current status. Accordingly, the original plan was to examine only studies conducted after Proposition 13 as that seriously affected existing legislation, resulted in new legislation and, in some cases, significantly changed services provided by county offices. None of the studies found that related to mandates for California COEs were conducted before the passage of Proposition 13. Two studies addressed mandates specifically and, although the information was not current, the method of organizing that information was valuable. They are discussed below. Immediately following, the remaining studies are briefly mentioned but, because they

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[13]Herb Steffens, Director, Planning and Evaluation, Nevada State Department of Education, telephone interview 4/13/84.

were neither current nor provided other beneficial information for this project, additional comment is inappropriate.

The first study, conducted by the San Diego County Public Schools,[14] is a guide of both mandated and permissive provisions for COEs. Its organization focuses attention on functions rather than the programs performing them. Politically, this presentation appears more acceptable than one which singles out programs and evaluates whether or not they are meeting legal responsibilities or whether their functions are discretionary rather than mandated. Twenty-two very specific areas are addressed, such as adoption of books and magazines, child welfare and attendance, financial accounting of school district funds, payroll warrants. Within each, the area is defined; mandated responsibilities are described and code sections cited -- Education, Government or California Administrative; authorized or permissive responsibilities are noted; and finally, how the San Diego COE is performing the function is discussed. The information, however, is dated. The guide was published in 1975 -- almost 10 years old and pre Proposition 13.

The second study, from the Joint Committee of the California County Boards of Education and the County Superintendents Association,[15] presents a chart of 1,027 sections of the Education Code, 1976 edition. Each entry reveals at a glance whether the county superintendent or the county board is responsible, whether board approval is required, whether

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[14]San Diego County Public Schools, A Reference Guide to the Laws and Regulations Relating to the Office of the County Superintendent of Schools, a San Diego Perspective (San Diego, California: San Diego Public Schools, 1975).

[15]Joint Committee of the California County Boards of Education and the Superintendents Association, Analysis of basic legal requirements of CBE and CSS in California (Redwood City, California: San Mateo County Schools Office, 1978).

the section is mandatory or permissive, and gives a brief (1 to 3 line) description of the section. Again, the information is not current; the study was completed in 1978, prior to the passage of Proposition 13. Through several phone calls, the author learned that Don Halverson, Assistant Superintendent, Educational Support and Planning Division, San Mateo County Office, helped develop it. He was contacted: the study had not been updated.

The remaining four studies were conducted in the 1960s, a time when county offices were expanding their role from solely a monitoring arm of the State to a provider of support and direct services. While none address mandated services specifically, that information could be extrapolated if the reader wants an historical perspective. In these studies the following areas are discussed: the role of the county office in general as a leader in curriculum development and teaching methods (California Association of County Superintendents of Schools[16]); 12 areas of service provided by the Contra Costa COE to districts (Marchus[17]); and the development of cooperative agreements for providing

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[16]California Association of County Superintendents of Schools, The Intermediate Unit Faces Today's Critical Issues (Asilomar, California: 1962).

[17]Floyd Marchus, State and County Planning of a Program of Services for a County Schools Office (Detroit, Michigan: Annual National Conference, Department of Rural Education, Division of County and Intermediate Unit Superintendents, 1963; ERIC Document Reproduction Services No. ED 020 073).

regional educational services across county lines (The Committee of Ten[18]; Glenn Hoffmann[19]).

Summary of the Literature Review

The literature reveals that the role of the intermediate education agency has been expanding since the 1960s. Increasingly, state school systems have three tiers of administration -- the state level, intermediate level, and the local level.

The intermediate education agency is developing in three basic patterns: the special district, the regionalized agency of the state education agency and the cooperative intermediate agency. The special district is a legally established unit which provides services to both the state education agency and the local education agencies. Its strengths are found in the structured organization, the relatively stable financial support, and the comprehensiveness of its programs. The regionalized agency is a branch of the state education agency and is established to deliver services for the state agency. It may provide administrative services, general services, or both. Like the special district, its strengths are a structured organization and a relatively stable financial support base. The cooperative intermediate agency is a loose consortium of local education agencies. It may be multipurpose or single purpose. Its strength lies in the extensive involvement of the local education agency. The most suitable intermediate system will depend upon the needs of its constituents -- the local districts and the state -- and will be

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[18]The Committee of Ten, The Future of the Intermediate Unit in California, (Visalia, California: American Yearbook Co., 1966.

[19]Glenn Hoffmann, The Flexible Intermediate Unit in California (Prepared with the Committee of Ten, 1966).

influenced by issues surrounding state-local relations, local control of education, and the best use of resources.

The literature review included an examination of the systems used in the states of Michigan, Florida and Nevada. The intermediate unit in Michigan is drawn up along county lines and ranges in size from very large to very small. It is primarily a service provider rather than a regulatory agency for the state. Most services that are provided are discretionary, only a few are mandated -- registering credentials, tracking student attendance, enforcing certain special education requirements. Neither Florida nor Nevada have legally established intermediate units. In both states each county is composed of a single, unified district. Cooperative agreements are used in Florida to provide certain services, such as instructional resources or purchasing. In Nevada the smaller, rural districts organize to share information. In both states there is significant local control over district budgets.

Through the literature review, no current information on mandates for California county offices was found. This reinforced the need to conduct the study and, furthermore, suggested that the results would benefit not only Santa Clara but other county offices as well. The two studies which addressed California mandates specifically, although not current, provided valuable models for organizing information on mandates. In one, the presentation focused on functions rather than spotlighting the programs performing them. The other charted sections of the Education Code and, at a glance, revealed the party responsible for carrying out the section, whether board approval was required, and whether the section was mandatory or permissive. In addition, the section was briefly described.

CHAPTER THREE

METHODOLOGY

In 1981 the Santa Clara County Office of Education instituted an ongoing, comprehensive planning process involving the annual review and revision of long range program directions and budget priorities. In the spring of 1983 the Administration and Board of Education determined that a clear definition of the legal responsibilities of county offices of education was essential to the program and budget revision process. A study to analyze and summarize the major state mandates for COE activities was undertaken. The study was to answer three questions: first, what are the major state mandated functions of county offices of education; second, how is the Santa Clara COE meeting these mandates; and third, how are other county offices are meeting those mandates relating to business services? The purpose of this chapter is to discuss the methodology used in answering those questions.

Research Sample

Three distinct sources of information were included in the sample, each providing information which would be used in answering a specific research question.

Statutes. In order to determine the major mandates for county offices of education, it was necessary to find out what the statutes said. The first step was to examine existing studies. Because the studies that were found had been completed prior to Proposition 13, a thorough review of the Education Code, from beginning to end and including newly chaptered SB 813, was conducted. Sections of other codes -- Title 5, California Administrative Code; the Government Code; and the Welfare and Institutions Code -- were reviewed as referenced by the Education Code or as directed by Legal Counsel.

Santa Clara County Office. In order to determine how the Santa Clara COE was performing mandated functions, current program descriptions were analyzed for all Office programs. In October 1983, program managers submitted program descriptions as part of the annual review and revision cycle of the planning process.

Other County Offices of Education. In order to determine the level of mandated business services provided by other county offices, it was decided to survey the Class 1 County Office (Los Angeles), all Class 2 COEs (Alameda, Orange, San Bernardino. San Diego and Santa Clara) and, through a random sample, to survey 30% of the offices in each of the other Classes. The random sample was selected from a list found in the California Association of County Superintendents of Schools Reference Book, 1983, which grouped offices by Class. Within each Class, the third office and then every second office were selected until 30% of the total number of the Class had been chosen. In all, 26 offices, including Santa Clara, were surveyed.

Research Instrument

Two research instruments were used: one which would facilitate the analysis of code sections and result in a list of mandated and permissive functions; and the other which would be used to gather information from other county offices on their delivery of mandated services.

Computerized File of Code Sections. A computerized filing system was designed for analyzing code sections that pertained to county offices of education. The file could be sorted by one or more of the following pieces of information:

- The number of the code section;
- The party (Board, Superintendent, Division) responsible for an activity/service;
- Whether the code section mandated or gave "permission" to perform an activity/service;
- Whether that activity/service met the definition of "function" stated in Chapter One; and
- A short, 2-3 word descriptor of the section.

In addition there would be a brief 1 to 5 line summary of each code section.

Survey of County Offices of Education. An instrument for surveying other county offices on their level of delivering mandated services was designed. Since Special Schools did not wish to participate, the survey was limited to other areas in the district services. It was decided to include nonmandated services in the areas of instructional support which are generally considered key functions of county offices -- instructional services and professional and film libraries. The final instrument was divided into 7 sections: Unemployment Insurance Claims

Management, Fiscal Services, Computerized Business Systems Services, Computerized Student Systems Services, Instructional Services, Professional Library, and Film Library. The author worked with program managers from each area in order to develop survey questions.

Data Collection

Data was collected in three areas, each corresponding to one of the research questions.

Review of Statutes. The entire Education Code was examined. An entry was made into the computerized file, as described above, for each section relating to county offices of education. This information was reviewed by the Office's Legal Counsel. Other codes were examined as referenced in the Education Code or directed by Counsel.

Review of Santa Clara COE Program Descriptions. The current descriptions of Santa Clara COE programs were reviewed and all functions were noted.

Survey of Other County Offices of Education. Phone calls were made to the superintendents of all county offices in the sample. The purpose and scope of the project was explained; all superintendents agreed to participate. They were asked to name subject matter experts from their office in the areas covered by the survey instrument. These people were called and informed that their superintendent had agreed to take part in the survey and had named them as a contact for a particular area of expertise. The project was described. Appointments were made to call them at a later date to administer the appropriate section of the survey over the phone, and copies of the survey were sent in advance so they could become familiar with it before that time. This process assured a 100% response.

Data Analysis

The 3 sources of information were analyzed separately and then combined into a single, comparative analysis.

List of Functions. After all of the information on code sections had been entered into the computerized file, a search was done to separate all functions from non-functions. A list of functions, both mandated and permissive, resulted.

Santa Clara COE Program Functions. The functions that were found in current Office program descriptions were reviewed against the list of functions from the codes. Where programs were performing mandated functions, this was noted and referenced with the code section numbers. If managers had indicated that a function was mandated when it was in fact permissive, this was also noted. In addition, any mandated functions which were not being performed by the Office were flagged.

Results from Survey of Other COEs. Because of the small size of the survey sample (26), survey results were compiled manually. First, responses were tallied by Class. Then a summary was developed comparing data between classes.

Comparative Analysis. Considerable thought was given to organizing the data into a comparative analysis. A program by program approach could easily become political with programs counting each others' mandates. It was decided to organize the analysis by functions. The information was divided into 3 general sections: Direct Services to Students, Services to Districts/State Department, and Internal Support Services. Each section was then subdivided into function areas. For example, a few of the function areas included in Services to

Districts/State Department were Supervisors of Attendance, Special Education, Finance and Credentials. In some cases, such as Finance or Special Education, more than one program was involved. In others, like Credentials, the function was just one of several performed by a program. The mandates for each function area were identified, how the Office is meeting those mandates was discussed, and where appropriate, how other offices are meeting them was included. This comparative analysis forms the basis for Chapter 4.

CHAPTER FOUR

FINDINGS

The purpose of this research project has been to identify the major State of California mandates for county offices of education, to analyze how the Santa Clara County Office of Education is meeting those mandates, and to analyze how other selected county offices are meeting the mandates surrounding business services.

The following discussion of the findings is divided into three sections which address mandates: Direct Services to Students, Services to Districts/State Department, and Internal Support Services; and a fourth section which deals with nonmandated services. Each section is subdivided into function areas. The mandates for the area are identified. In addition, the classes of county offices are broken down by ADA in Appendix A. The county offices that participated in the survey are named in Appendix B. A table is presented in Appendix C which summarizes survey responses; this is divided into 7 columns, one for each COE class; the number of offices surveyed which provide the service is noted. Finally, the survey instrument will be found in Appendix D.

But first, a word of caution. Moving through educational law is a constant shifting, back and forth, between the clear and the nebulous. In

some areas the mandates are direct: the county board shall approve the county school service fund budget. Others, while direct, are not defined: the superintendent shall "superintend the schools of his county." For the layperson, many areas are unintelligible because of legal language and construction.

But more importantly, there are many grey areas where questions are left unanswered. The relationship between the superintendent and the board is frequently not resolved: In some cases the board is authorized to "establish and maintain" certain programs, but what role does it play in maintaining those programs? Or, a service may be mandated, but the level, and sometimes even the nature of the service is not clearly defined. Often, the codes speak only of districts: When do these sections also apply to county offices? Responsibilities in other areas may become grey when mandates are attached to permissives, i.e., when providing a program is permissive, but once provided a series of mandated functions are triggered. The intention in presenting the findings of this study is to clarify those grey areas where possible and to identify areas where interpretation remains unclear.

DIRECT SERVICES TO STUDENTS

Juvenile Court and Community Schools

The Education Code distinguishes between juvenile court schools and community schools. Court schools are those established in court-operated facilities including a juvenile hall, juvenile home, day center, juvenile ranch or juvenile camp. Community schools, on the other hand, are not part of the court-operated facilities, although court may refer students

to them. The state mandates that county boards of education provide for the administration and operation of juvenile court schools (E.C. §48645.2). This may be done either through the county superintendent or by contract with districts. Providing for community schools, on the other hand, is permissive. The county board may establish and maintain community schools (E.C. §1980). If established, however, they must be administered by the county superintendent (E.C. §1982).

Special Education

The county office, specifically, is not mandated to provide direct special education instruction. The local plan, which establishes a system for serving individuals with exceptional needs, may designate responsibility for performing these services to any education agency (E.C. §56170). The Local Plan for Santa Clara County assigns to the County Office the responsibility for three programs: the Infant Program (E.C. §§56425-56426), the Resource Specialist Program for Juvenile Court Schools (E.C. §56150) and Special Day Classes for low-incidence handicapped children (E.C. §56364). Operation of these programs, consequently, invokes a range of legal requirements which include mandates for identification, assessment, IEP development/review and the establishment of procedural safeguards. In addition, a program must be maintained to provide appropriate designated instruction and services (E.C.§56363) for all students enrolled in county-operated special education classes.

Child Development Centers

Providing child development centers is not mandated (E.C. §8320), but once state funds are accepted for these centers, mandates are triggered.

The program must provide for the nutritional needs of the children (E.C. §8204). It must include age and developmentally appropriate activities; supervision; parenting education and parent involvement; social services, including identification of child and family needs and referral to appropriate agencies; health services; training and career ladder opportunities (E.C §8240).

Bilingual Education

Bilingual education is a mandate for school districts with limited-English proficient students. While county offices are not identified in the legislation, they could be required to comply insofar as they function as districts. In the Santa Clara County Office's Juvenile Court Schools and Special Education classes there are insufficient numbers of eligible students to require such a program; however, bilingual services are provided when necessary.

Health and Nutrition

School districts must provide several services in the area of health and nutrition, and a strong case can be made for extending the definition of district to include COE programs when speaking of student health. Immunizations and tests of vision, hearing and for scoliosis must be performed (E.C. §§49403, 49452, 49452.5, 49455). In addition, a free or reduced-priced meal must be provided daily for needy students (E.C. §49550). Districts may contract with the county superintendent for these services, and in fact the Santa Clara COE provides hearing tests for 31 districts. Students in county-operated special education programs receive immunizations and vision, scoliosis and hearing screening. Headstart and Parkway programs provide at least one meal daily and health screening.

SERVICES TO DISTRICTS/STATE DEPARTMENT

Special Education

County services to eligible pupils residing in state hospitals are required. Santa Clara County Office serves Agnews Hospital according to a mandate for development of a local agreement providing student access to educational programs (E.C. §§56850-56865). The Santa Clara COE ensures that appropriate contract services are available within the community (E.C. §56855) and provides a representative to the hospital's IEP team (E.C. §56851).

Certain special education administrative duties are clearly mandated (E.C. §56140). Required management functions include:

1. Initiation and submission of a county-wide plan which demonstrates coordination between local plans and ensures student access to appropriate programs;
2. Approval or disapproval of local plans based on the capacity of districts to ensure service to eligible students; and
3. Participation in the state review of districts' implementation of this plan.

As part of the above process, local plans must be examined to make certain that each is in compliance with the state required contents (E.C. §56200).

Due to the fact that special education services are delivered through a consortium of education agencies, the following mandates apply as a result of Local Plan provisions designating the Santa Clara COE as the service provider:

1. The County Office is directed to submit annual evaluation reports to the Superintendent of Public Instruction (E.C. §56601).

2. The Office is mandated by local agreements to provide for the educational needs of qualified students residing in licensed children's institutions (E.C. §56156.5). The Santa Clara COE responds to this directive by providing for nonpublic placement when no appropriate public education program is available (E.C. §56365).
3. Regionalized services are provided according to contractual agreements with Special Education Local Plan Areas (SELPA). These services include personnel development, evaluation, data collection, curriculum development, and program review (E.C. §56220).
4. Having been designated the "responsible local agency" (RLA), the Santa Clara COE is mandated to receive and distribute Regionalized Service Funds, provide administrative support and coordinate implementation of local plans (E.C. §56030).

Large Print Textbooks

The county superintendent, upon a district's request, must order large print textbooks from the State Department (Title 5, C.A.C. §9503). In the Santa Clara COE, the service is provided by the Professional Library.

Supervisor of Attendance

Direction regarding supervisors of attendance is not clear. The county board of education is directed to appoint a supervisor of attendance and such assistant supervisors "as may be necessary to supervise the attendance" of students in the county. The board must prescribe duties including those related to truancy and issuance of work permits (E.C. §48240).

Finance

County offices have several legal responsibilities in the area of school district finance. For the sake of discussion, a few categories have been delineated; it is understood, however, that the functions overlap. An office, in terms of its own financial operations, may be considered a district. Through the survey, the 26 COEs (Santa Clara included) were asked if they provided several of the functions. In general, the number of full time equivalent personnel involved in performing each of the functions varied regardless of the total ADA for the county, suggesting a variety of service levels. Although not mandated to provide business services through computerized systems, all offices surveyed had at least some part of the business operation computerized.

Deputy Controller. In fiscally independent county offices, the duties of the county auditor relative to school finance are transferred to the county superintendent (E.C. 42649.5). The person performing these duties is designated a Deputy Controller. In the Santa Clara COE the Director of District Business Services/Financial and the Director of District Payroll/Personnel Services are Deputy Controllers. The duties involved in such a transfer include the final approval of all district requisitions (in fiscally dependent county offices the superintendent must perform an initial review and approval of all requisitions before submitting them to the county auditor), maintaining any invoices attached to the requisitions, and issuing the warrants (E.C. §42640).

Monitor, Review and Audit. County offices are charged with monitoring compliance of all district expenditures, commercial and

payroll, and all district funds (E.C. §41014). This involves approving all requisitions, commercial and payroll (E.C. §§42635, 42636); notifying districts when their expenditures are in danger of exceeding their revenues (E.C. §42637); and examining, making technical corrections and approving all district budgets (E.C. §42127). All county offices surveyed reported auditing and approving district warrants. The survey also included questions about functions which are not mandated but are frequently performed in the process of monitoring the financial condition of districts. Of the 26 offices surveyed, 24 monitor cash receipts and bank reconciliations; 24 monitor budgets and financial reconciliations; and 18 analyze districts' cash flow.

County offices must submit to the State the attendance reports for all districts in the county (E.C. §1244). The Code does not specify audit and approval of the reports; however, the State Department of Educations guide, Attendance and Enrollment Accounting and Reporting in California Public Schools, School Business Administration Publications No. 5, instructs districts to submit attendance reports to the county superintendent for audit and approval. All but three offices surveyed audit and approve district attendance. Requirements surrounding county office attendance are more explicit. The office must submit its attendance reports (E.C. §41060), and it must audit attendance procedures (E.C. §41020). All offices surveyed reported preparing their COE attendance.

Revenue Limits. Clearly, the county superintendent must determine the revenue limit for each district in the county (E.C. §42238). All county offices that were surveyed prepared and audited district revenue limits except for one Class 7 which used a commercial service.

Apportionments. The Superintendent of Public Instruction provides the county superintendent with an abstract of district apportionments (E.C. §41340) for immediate distribution by the county treasurer (G.C. §14043). With the abstract comes the direction to distribute the apportionments accordingly. All county offices surveyed analyzed and distributed apportionments.

Employee Retirement Plans. County offices must make employee and employer contributions for all public school employees in the county to the Public Employees' Retirement System and the State Teachers' Retirement System. In addition, they must file reports and furnish information as requested by the state (E.C. §§22402, 22403, 23001, 23004; G.C. §22550.5).

Audit and Approval of State Mandated Reports. A blanket directive to audit and approve State mandated reports was not found in either the Education Code or Title 5. However, State Department of Education directions for completing many reports, as in the case of the attendance reports, require that they be submitted and approved by the county superintendent. Compliance with State requirements regarding reports is mandated (E.C. §§1243-1245).

901 Districts. Special, financial responsibilities of the county office to small districts were not found in the Education Code. The Code does permit, however, the county office to supervise instructional, attendance and health services (§§1730-1754), to provide guidance services (§§1760-1762) and certain purchasing services (§40000 et seq.)

Master Plan -- Fiscal Coordination. The Responsible Local Agency is mandated to receive and distribute special education funds (E.C.

§56170). Santa Clara COE is designated the RLA for the seven SELPAS within the county. The county superintendent is mandated to compute the state special education apportionments for districts and the county office (E.C. §56710). All but two offices surveyed prepared the J-50 Master Plan document and all but one audited it. Of the 26 county offices, 22 were the administrative unit for the county master plan.

Unemployment Insurance

County offices are mandated to establish, coordinate and maintain an unemployment insurance system for districts. This may be done directly, by contract or through a Joint Powers Agreement (E.C. §1330). Of the 26 county offices surveyed, 8, including Santa Clara COE, provide the service to districts; 12 contract with a commercial service; 1 contracts with another COE; and in 3 counties the districts do their own. The Class 1 and 2 offices were equally divided between providing the service themselves and contracting with a commercial service.

Registration of Credentials

All teachers must register their credentials. The mandate for the county superintendent to perform the registration is implicit. Education Code §32341 allows the county board to provide for the registration of credentials, thus seemingly permissive. However, E.C. §44857 states that teachers may meet the registration requirement by registering credentials with the county superintendent. Registering credentials at the county office facilitates compliance with another mandate: teachers who are not properly credentialed or do not have credentials registered cannot be paid (E.C. §45034). Although not mandated to monitor credentials through a

computerized system, Santa Clara COE, using RECAP's county-wide payroll/personnel system which connects with the county credential files, can verify that employees possess the necessary credentials.

Purchasing

The county superintendent is mandated to act as purchasing agent for city and high school districts that request such service (E.C. §40004). In addition, elementary districts under 2,500 ADA must purchase through either a cooperative or the county office (E.C. §40002).

Affirmative Action

It is mandated that the county office assist 901 districts in developing and implementing affirmative action programs (E.C. §44103). While capable of providing the service, to date the Santa Clara County Office has not received any requests for it.

Interdistrict Attendance Appeals and Suspension/Expulsion Appeals

The county board of education is mandated to hear and rule on interdistrict attendance appeals and on suspension and expulsion appeals (E.C. §§46603, 48919).

Retention of Records

County offices are required to retain certain financial, personnel, and election records for themselves and districts. In addition, they must retain their own board minutes, student records and property records (Title 5, C.A.C. §§16020-16028).

School District Organization

When a county board of supervisors transfers its educational duties to the county board of education, the transfer includes those duties relating to the organization and reorganization of school districts (E.C. §1080). In addition, it is mandated that a county committee on school district organization be established (E. C. §4000). The committee is charged with developing plans and recommendations for the organization of districts within the county (E.C. §35720). Except for the county superintendent's role in receiving petitions and calling elections on school district organization, the office's responsibilities to the committee are not clearly defined. The committee's expenses must be paid from the county school service fund (E.C. §1624); until recently, the Education Code designated the superintendent as secretary to the Committee, but that section of the Code has been repealed. Although no longer mandated, Santa Clara COE continues to serve as staff to the Committee.

Educational Information System

The county office is required to participate in the statewide educational information system (E.C. §10604). At Santa Clara COE, District Business Services/Financial manages the CBEDS function within the Office; in addition, it coordinates the collection, processing and review of districts' CBEDS data for the state.

INTERNAL SUPPORT SERVICES

Special Education

If the county office establishes direct instructional programs in accordance with the local plan, it is obligated to provide student support services. Mandated pupil personnel services provide both psychological (E.C. §§49420, 56320,) and health assessment (E.C. §§49403, 49452, 49452.5, 49455); in addition to specialized physical health care (E.C. §49423.5) and nursing services (E.C. §49426). Special transportation (E.C. §§56770-56774.5) is also required.

County-operated schools function as a district providing special education per local plan area agreements; therefore, they are mandated to receive both regionalized (E.C. §56220) and RLA support services (E.C. §56030).

Finance

It is mandated that a county school service fund be established (E.C. §1600), and that the expenses of the county superintendent, the county board of education and the county committee on school district organization be paid from it (E.C. §1604). An annual operating budget must be developed by the office, approved by the county board and submitted to the Superintendent of Public Instruction (E.C. §1621).

Personnel

As public agencies, county offices are governed by a broad range of legislation in the area of personnel -- including hiring practices, payroll deductions and reports, conflict of interest reports, and labor negotiations. In addition, all employees of public education agencies

must be screened regularly for tuberculosis, and classified personnel must be fingerprinted upon employment.

NONMANDATED SERVICES

In developing the survey, it was decided to question other offices on the delivery of a few nonmandated services which are generally considered key functions of county offices.

Instructional Services

Offices were asked about services provided with state monies designated for inservice programs and coordinative activities. For two Class 7 offices, the county consisted of only one unified district. In one case the district provided these services exclusively and in the other the county provided the services. All provided technical assistance and assistance in staff development; 25 provided assistance in curriculum development; 24 provided information dissemination services; 16 provided assistance in assessment and evaluation. In all but four offices state monies for these programs were augmented by other funds, most frequently district funds, federal funds, fee for service, and private grants. Some of the smaller offices used money from the state license plate fund, the California Arts Council, state nutrition grants and the forest reserve.

Professional Library

All but four offices (Classes 4, 5, 6 and 7) provided some professional library services. Again, for one Class 7 county office/unified district, the district provided the service. Only one office charged a fee for service, a rate of $4.50 per ADA.

Film Library

Film library services were available in all counties surveyed. In a few of the smaller offices, the service was provided through another county office, a consortium or, in the case of a county office/unified district, by the district. Except in the last case, all offices contributed funds, ranging from 12% to 80% but averaging around 50%. Most of this came from the general fund, some from other purpose funds and, in the smaller offices, rental and consultant fees and the forest reserve were cited. More than half of the offices charged internal programs, though many restricted the charge to programs which were externally funded.

CHAPTER FIVE

SUMMARY, REVIEW AND RECOMMENDATIONS

Summary of the Study

The study began, in Chapter One, stating the problem: to define the major state mandated functions of county offices in California; to analyze how the Santa Clara County Office of Education is meeting these mandates; and to determine how other county offices in California are meeting mandates surrounding the business services.

A review of the related literature was undertaken in Chapter Two. It focused on two areas -- the organization and role of the intermediate education agency in general and, more specifically, the state mandated functions for California county offices of education.

The literature revealed that the role of the intermediate education agency has been expanding since the 1960s. This level of administration is developing in three basic patterns: the special district, a legally established unit which provides services to both the state education agency and the local education agencies; the regionalized agency of the state education agency, a unit which is generally established to deliver services for the state agency; and the cooperative intermediate agency, a loose consortium of local education agencies. The most suitable system

for a given state will depend upon the needs of the constituents -- the local districts and the state agency -- and will be influenced by issues surrounding state-local relations, local control of education, and the best use of resources.

The systems used in Michigan, Florida and Nevada were examined. The intermediate unit in Michigan is drawn up along county lines and ranges in size from very large to very small. It is primarily a service provider rather than a regulatory arm of the state. Most services are discretionary, only a few are mandated -- registering credentials, tracking student attendance, enforcing certain special education requirements. Neither Florida nor Nevada have legally established intermediate units. In both states each county is composed of a single, unified district. There is some cooperation between districts in sharing information and providing certain services. In addition, districts exercise significant local control over their budgets.

No current information on mandates for California county offices was found in the literature -- the studies that were uncovered had been completed prior to the passage of Proposition 13 in 1978.

The methodology of the study was discussed in Chapter Three. The sample included California statutes, descriptions of Santa Clara County Office of Education programs, and other randomly selected California county offices of education. Two research instruments were used, a computerized file of California Education Code Sections and a survey of 26 California county offices of education. Data was collected by reviewing the statues, reviewing the program descriptions and administering the survey. These three sources of information were analyzed separately and then combined into a single, comparative analysis.

Review of the Major Findings

The major findings of the study are divided into three areas which address mandates: Direct Services to Students, Services to Districts/State Department, and Internal Support Services; and a fourth area dealing with nonmandated services.

Direct Services to Students. County offices of education in California are not mandated to provide direct instruction to students. County boards, however, must provide for the administration and operation of juvenile court schools. This may be done either through the county superintendent or by contract with districts.

If county offices elect to provide direct instruction, a series of mandates are triggered. In special education there are mandates in the areas of identification, assessment, IEP development/review, the establishment of procedural safeguards, and appropriate designated instruction and services. Programs in child development centers must offer age and developmentally appropriate activities; supervision; parenting education and parent involvement; social services, including identification of child and family needs and referral to appropriate agencies; health services; training and career ladder opportunities. For all students, certain health provisions must be met, including immunizations and tests of vision, hearing and scoliosis. A free or reduced-priced meal must be furnished daily for needy students.

Services to Districts/State Department. Most of the mandates for county offices of education lie within the area of services provided to districts and the State Department of Education. The majority of these are management, audit and review functions. In the area of finance,

county offices must monitor compliance of all district expenditures -- commercial and payroll -- and all district funds; approve all district budgets and many mandated reports, such as attendance; determine district revenue limits and distribute apportionments, including state special education funds, contribute to retirement plans for all public school employees in the county; and establish, coordinate and maintain an unemployment insurance system for the districts.

In the area of special education, certain administrative duties are mandated: initiation and submission of a county-wide plan; approval of local plans; and participation in the state review of districts' implementation of the local plans.

County offices must register the credentials of teachers within the county. Certain services must be furnished if districts request them: purchasing for city and high school districts; assisting 901 districts in developing and implementing affirmative action programs; and ordering large print textbooks. The county office's role in the area of supervisors of attendance is not clear: supervisors of attendance must be appointed as necessary to supervise the attendance of students in the county. The county board must hear interdistrict attendance appeals and suspension/expulsion appeals.

Internal Support Services. There are few mandates in the area of internal support services. If the county office establishes direct instructional programs in special education, it is obligated to provide student support services, including psychological and health assessment, specialized physical health care and nursing services, and special transportation. A county school service fund must be established from which the expenses of the superintendent, the board and the committee on

school district organization are paid. In addition, as a public agency, there are legal requirements in the area of personnel.

Nonmandated Services. All of the county offices surveyed offered some instructional support services to their districts, including technical assistance and assistance in staff development. Most furnished assistance in curriculum development and assessment and evaluation. In all counties surveyed film library services were available, and in most some level of professional library services were provided.

Recommendations

Future Studies. The weak link in this study was the survey instrument used in collecting information from other county offices. Due to time constraints, it was developed before the analysis of the Education Code was completed, and as a result, focused only on business related mandates and nonmandated instructional support services. (However, it should be pointed out that the bulk of mandates for county offices fall into the area of business services.) Again because of time, the instrument was not field tested, and it became apparent during its administration that some terms did not have a common meaning for all respondents. In addition the Special Schools Division did not wish to participate in the survey, and as a result the instrument covered only business management aspects of special education. Based upon these considerations, the following recommendations are made for future studies:

1. Other areas should be examined where mandates having significant fiscal implications are found, specifically -- the manner of providing for juvenile court schools; and purchasing for districts requesting that service.

2. How special education services are provided in other counties and what role the county office plays should be probed.
3. Information on the delivery of nonmandated services should be expanded to include such areas as child development centers, environmental education, instructional television.
4. Interest should be gauged in forming cooperative agreements for offering certain services on a regional basis, such as staff and curriculum development and film and professional libraries.
5. To obtain a more comprehensive data base, the survey sample should be increased to include all county offices in California.

Future Actions for Agencies, Organizations, etc. Based upon the findings of this study, the following recommendations are made.

1. Federal Department of Education. In order to promote an exchange of information on organizational planning and policy development for the intermediate education agency, it is recommended that the Federal Department of Education develop and maintain a national directory of intermediate agencies. The directory should include the following for each IEA in all states:
    - Name, address, phone number and name of executive officer
    - Type of service agency
    - Governance of agency (elected or appointed lay board, elected or appointed executive officer)
    - Total enrollment of public and nonpublic schools in the area of jurisdiction
    - Programs and services offered, with general categories developed in each of these areas -- direct services to students, services to districts/state/other agencies, internal support services

In addition, the directory should provide an index of IEAs by type, by state and by program area.

2. Voters. In an effort to make county offices more responsive to their constituents -- local districts, it is recommended that the California State Constitution be changed to make county boards of education appointed by local district boards and to make all county superintendents appointed by the county boards.

3. State Legislature. It is recommended that the State Legislature encourage cooperative agreements, especially among the smaller county offices of education, by providing funding incentives for participants. Such cooperatives could be formed for any number of purposes -- purchasing, legal services, or staff and curriculum development in areas not presently supported by the Teacher Education and Computer Centers.

4. County Offices of Education. In order to determine the demand for services, it is recommended that county offices of education periodically gather market information from their local districts and gather information on environmental trends -- such as demographics, the economy and public attitudes.

4. County Offices of Education. To lower costs and improve the quality and efficiency of services, it is recommended that county offices explore the possibilities of forming cooperatives with other county offices and other service agencies.

5. Santa Clara County Superintendent of Schools. It is recommended that the County Superintendent work with district superintendents to rank nonmandated services by priority and that the COE consider these priorities when developing program plans and setting program budgets.

6. Santa Clara County Board of Education. The COE provides many nonmandated services on a contractual, cost-recovery basis and provides others without charge. It is recommended that the Board consider the cost of these services which are currently provided without charge and, considering the needs of the districts as determined above, establish policy on offering the less essential and/or more costly services on a cost-recovery or partial cost-recovery basis.

7. Santa Clara County Office of Education, Planning Department. The author recommends that annually the computerized data base on Education Code mandates be updated and that it be expanded to include mandates from other applicable codes such as Title 5, California Administrative Code, the Welfare and Institutions Code, and the Government Code.

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PERSONAL SOURCES

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APPENDIX A

CLASSES OF COUNTY OFFICES

The 58 county offices of education in California are divided into 7 classes depending upon the total average daily attendance for all schools in the county.

Class	ADA	Number of COEs in Class
1	750,000 or more	1
2	140,000 to 749,999	5
3	60,000 to 139,999	8
4	30,000 to 59,999	7
5	15,000 to 29,999	12
6	7,000 to 14,999	13
7	0 to 6,999	12

APPENDIX B

COE MANDATED/KEY SERVICES SURVEY SAMPLE

CLASS 1

Los Angeles

CLASS 2

Orange
San Diego
Santa Clara
San Bernardino
Alameda

CLASS 3

Contra Costa
Fresno
San Mateo

CLASS 4

Stanislaus
Monterey
Solano

CLASS 5

Marin
Imperial
Butte
Humboldt
Santa Cruz

CLASS 6

Mendocino
Yuba
Siskiyou
Lake
San Benito

CLASS 7

Inyo
Amador
Trinity
Mariposa

APPENDIX C

SERVICES PROVIDED BY COES

The following table summarizes responses to the survey of county offices. It is divided into 7 columns, one for each COE class. The number in parenthesis below the class indicates the number of offices surveyed in that class. The number of surveyed offices providing a service is given by class. Additional information from the survey will be found in Chapter Four, the sections on Services to Districts/State Department and Nonmandated Services.

Class Number of respondents	1 (1)	2 (5)	3 (3)	4 (3)	5 (5)	6 (5)	7 (4)
BUSINESS							
Unemployment Insurance		3			2	2	
Prep & audit of revenue limits	1	5	3	3	5	5	3
Prep & audit of J-50 Master Plan documents	1	5	3	3	5	5	3
Administrative Unit -- Master Plan	1	4	3	3	4	4	4
Cash flow analysis	1	4	3	2	2	4	4
Audit & approval of warrants	1	5	3	3	5	5	4
Preparation of COE attendance	1	5	3	3	5	5	3
Audit & approval of district attendance		5	3	2	5	5	3
Monitor budgets & financial reconciliations	1	5	3	3	4	5	3
Monitor cash receipts & bank reconciliations	1	5	2	3	5	4	4
Distribution & analysis of apportionment taxes	1	5	3	3	5	3	4
Analysis & distribution of legislation	1	4	2	2	4	4	3
INSTRUCTION							
Curriculum development	1	5	3	3	5	4	4
Staff development	1	5	3	3	5	5	4
Information dissemination	1	5	3	3	5	4	3
Technical assistance	1	5	3	3	5	5	4
Assessment & evaluation	1	4	3	1	2	4	2

Class	1	2	3	4	5	6	7
Number of respondents	(1)	(5)	(3)	(3)	(5)	(5)	(4)
PROFESSIONAL LIBRARY							
Provide service	1	5	3	2	4	4	4
Number of books	8500	720-10000	6500-18000	8000-9000	500-3200	200-1754	72-500
Number of periodicals	650	6-200	90-840	52	10-50	10-20	5-10
Circulation of books	5500	1200-5320	2704-11642	504	155-1040	127-200	95-123
Circulation of periodicals	6000	500-5904	2222-27074	1507	47-300	200	12-98
FILM LIBRARY							
Provide service	1	5	3	3	5	4	3
Contribute funds	1	5	3	3	5	5	3
Charge internal programs	1	2	3	3	5	1	2
Deliver	1	5	3	3	5	2	4
Provide service to nonpublic schools	1	5	3	1	5	3	3
Number of film titles (includes video)	5000	3194-7050	3700-4000	2000-32000	2500-3500	1800-6000	230-1558
Number of prints	35930	1500-21255	1100-9000	3000-9200	3700-5000	12000	1000-1314
Number of video titles		10-2200	100-1000	50-2600	61-11000	200-4000	10-987
Number of prints	625	10-2100	3000-11000	0-3000	61-12000	4000	535-987
Circulation	100000	45000-203000	60000-100000	30000-75000	29600-38000	2060-25000	7000-47000

APPENDIX D

COE MANDATED/KEY SERVICES AND MARKET SURVEY

UNEMPLOYMENT INSURANCE CLAIMS MANAGEMENT

1. Who provides management services for unemployment insurance claims for the districts within your county?

   ____ Your own county office

   ____ Another county office (which one)_____

   ____ Individual districts do their own

   ____ Commercial claims service (which one) _____

   ____ Other (specify) _____

If you process your own claims, answer the following question :

2. How many employees (Full Time Equivalent) in your county office are currently doing claims management and tax payments?

   _____ Full Time Equivalent

3. What is the cost per covered employee, or other cost basis, to handle these unemployment claims? Approximate if necessary and specify other basis, for example, total cost of the program

   $_____/Employee $_____/Other Basis (specify) _____

   ___DK/NA

4. Are you satisfied with the management of your unemployment insurance claims?

   _____Yes _____No _____DK/NDA

5. The Santa Clara County Office of Education provides an unemployment insurance claims management service to its districts and neighboring county offices at an approximate cost of $1.10 per covered employee. Would you be interested in pursuing the use of this service, on a similar cost basis, within the next five years.

   _____Yes _____No _____DK/NA

COE MANDATED/KEY SERVICES AND MARKET SURVEY

FISCAL SERVICES

We will be going through a list of fiscal services. For each service I would like to know whether the service is being provided to districts by your office or another source as well as the number of staff, (Full Time Equivalent) currently involved if the service is provided by your office.

1. Coordination of automated applications and changes to existing applications

   Is the service being provided by your office?

   _____ Yes _____ No _____ DK/NA

   If Yes, number of FTE _____ (indicate % if less than 1)

   If No, is the service being provided by:

   _____ Another county office (which one) _____

   _____ Individual districts do their own

   _____ Commercial service (which one) _____

   _____ Other (specify) _____

2. Preparation and audit of revenue limits

   Is the service being provided by your office?

   _____ Yes _____ No _____ DK/NA

   If Yes, number of FTE _____ (indicate % if less than 1)

   If No, is the service being provided by:

   _____ Another county office (which one) _____

   _____ Individual districts do their own

   _____ Commercial service (which one) _____

   _____ Other (specify) _____

3. Preparation and audit of J50, Master Plan documents

Is the service being provided by your office?

_____ Yes _____ No _____ DK/NA

If Yes, number of FTE _____ (indicate % if less than 1)

If No, is the service being provided by:

_____ Another county office (which one) _____

_____ Individual districts do their own

_____ Commercial service (which one) _____

_____ Other (specify) _____

4. Administrative Unit--fiscal management/coordination with districts and COE for Master Plan

Is the service being provided by your office?

_____ Yes _____ No _____ DK/NA

If Yes, number of FTE _____ (indicate % if less than 1)

If No, is the service being provided by:

_____ Another county office (which one) _____

_____ Individual district do their own

_____ Commercial service (which one) _____

_____ Other (specify) _____

5. Cash Flow Analysis

Is the service being provided by your office?

_____ Yes _____ No _____ DK/NA

If Yes, number of FTE _____ (indicate % if less than 1)

If No, is the service being provided by:

_____ Another county office (which one) _____

_____ Individual district do their own

_____ Commercial service (which one) _____

_____ Other (specify) _____

6. Audit and approval of warrants

Is the service being provided by your office?

_____ Yes _____ No _____ DK/NA

If Yes, number of FTE _____

If No, is the service being provided by:

_____ Another county office (which one) _____

_____ Individual district do their own

_____ Commercial service (which one) _____

_____ Other (specify) _____

7. Preparation of COE attendance

Is the service being provided by your office?

_____ Yes _____ No _____ DK/NA

If Yes, number of FTE _____

If No, is the service being provided by:

_____ Another county office (which one) _____

_____ Individual district do their own

_____ Commercial service (which one) _____

_____ Other (specify) _____

8. Audit and approval of district attendance

_____ Yes _____ No _____ DK/NA

If Yes, number of FTE _____

If No, is the service being provided by:

_____ Another county office (which one) _____

_____ Individual district do their own

_____ Commercial service (which one) _____

_____ Other (specify) _____

9. Monitor budgets and financial reconciliations

_____ Yes _____ No _____ DK/NA

If Yes, number of FTE _____

If No, is the service being provided by:

_____ Another county office (which one) _____

_____ Individual district do their own

_____ Commercial service (which one) _____

_____ Other (specify) _____

10. Monitor cash receipts and bank reconciliations

_____ Yes _____ No _____ DK/NA

If Yes, number of FTE _____

If No, is the service being provided by:

_____ Another county office (which one) _____

_____ Individual district do their own

_____ Commercial service (which one) _____

_____ Other (specify) _____

11. Distribution and analysis of apportionment and taxes

_____ Yes _____ No _____ DK/NA

If Yes, number of FTE _____

If No, is the service being provided by:

_____ Another county office (which one) _____

_____ Individual district do their own

_____ Commercial service (which one) _____

_____ Other (specify) _____

12. Analysis and distribution of legislation to districts

_____ Yes _____ No _____ DK/NA

If Yes, number of FTE _____

If No, is the service being provided by:

_____ Another county office (which one) _____

_____ Individual district do their own

_____ Commercial service (which one) _____

_____ Other (specify) _____

13. What additional fiscal services are provided, other than those listed above provided?

For each service identified:

How many districts receive this service? _____

What is the fee basis, for example, ADA _____

COE MANDATED/KEY SERVICES AND MARKET SURVEY

COMPUTERIZED BUSINESS SYSTEMS SERVICES

1. Do you currently have a computerized business system for payroll, accounts payable, financial accounting, etc.?

_____ Yes _____ No _____ DK/NA

If answer is "No", skip to question 4.

2. If answer is "Yes", do you run the systems on your own equipment, through a service bureau, or through another public agency?

_____ Own Equipment _____ Service Bureau

_____ Other _____ DK/NA

How many warrants are processed annually? _____

If "Own Equipment", how many employees (Full Time Equivalent) are involved in running the computerized system? _____

3. Are you satisfied with the results, or are you interested in seeking other means to have this service performed?

_____ Satisfied _____ Seeking other service

If "Satisfied", end of questions for section, if "Seeking other service" skip to question 5.

4. Are you interested in automating your business processing?

_____ Yes _____ No _____ DK/NA

5. Are you interested in generating and printing your own reports on-line?

_____ Yes _____ No _____ DK/NA

6. Are you interested in electronic mail?

_____ Yes _____ No _____ DK/NA

COE MANDATED/KEY SERVICES AND MARKET SURVEY

COMPUTERIZED STUDENT SYSTEM SERVICES

1. Do you currently have a computerized student system for mark reporting, scheduling, attendance, demographic information, transcripts, etc.?

   _____ Yes _____ No _____ DK/NA

   If answer is "No", skip to question 4.

2. If answer is "Yes", do you run the systems on your own equipment, through a service bureau, or through another public agency?

   _____ Own Equipment _____ Service Bureau

   _____ Other _____ DK/NA

   How many students are served annually? _____

   If "Own Equipment", how many employees (Full Time Equivalent) are involved in running the computerized system? _____

3. Are you satisfied with the results, or are you interested in seeking other means to have this service performed?

   _____ Satisfied _____ Seeking other service

   If "Satisfied", end of questions for section; if "Seeking other service" skip to question 5.

4. Are you interested in automating your student processing?

   _____ Yes _____ No _____ DK/NA

5. Are you interested in maintaining your student data file through an on-line process?

   _____ Yes _____ No _____ DK/NA

6. Are you interested in generating and printing your own reports at your site?

   _____ Yes _____ No _____ DK/NA

7. Are you interested in electronic mail?

   _____ Yes _____ No _____ DK/NA

COE MANDATED/KEY SERVICES AND MARKET SURVEY

INSTRUCTIONAL SERVICES

1. What services do you provide with the monies from the state designated for inservice programs and coordinative activities?

_____ Curriculum Development

_____ Staff Development Programs

_____ Information Dissemination

_____ Technical Assistance

_____ Assessment and Evaluation

_____ Other (specify) _____

2. How many employees (Full Time Equivalent) provide these services?

_____ Certificated

_____ Classified

3. Are state monies augmented by other funds?

_____Yes _____No _____DK/NA

If Yes, what is the source of other funding used for this purpose?

_____ District Funds

_____ Federal Funds

_____ Fee for Service

_____ Other (specify)_____

The Santa Clara County Office of Education provides staff development activities at a cost of $200/day or on a referral basis. Please indicate if you would be interested in contracting for any of the following services.

4. CURRICULUM DEVELOPMENT

Information and assistance in planning curricula

_____Yes _____No _____DK/NA

5. CLASSROOM MANAGEMENT

Training and follow-up sessions in classroom management techniques

_____Yes _____No _____DK/NA

Assistance in planning classroom management in-service programs

_____Yes _____No _____DK/NA

6. INSTRUCTIONAL STRATEGIES

Training and follow-up sessions in effective teaching techniques

_____Yes _____No _____DK/NA

Assistance in planning instructional strategy in-service activities

_____Yes _____No _____DK/NA

7. THE RESOURCE CENTER

Assistance in creating instructional materials; specialized equipment and supplies are available in the Resource Center workroom

_____Yes _____No _____DK/NA

8. CENTER FOR EDUCATIONAL IMPROVEMENT

Curricula and staff development program information and referral service

_____Yes _____No _____DK/NA

9. BILINGUAL/CROSS-CULTURAL EDUCATION

Program planning and staff development training seminars

_____Yes _____No _____DK/NA

Technical information on state and federal regulations

_____Yes _____No _____DK/NA

Assistance with primary language and psychological evaluation

_____Yes _____No _____DK/NA

10. PROJECT/GRANT DEVELOPMENT

Information on identifying funding sources

_____Yes _____No _____DK/NA

Technical assistance in proposal planning and development

_____Yes _____No _____DK/NA

11. TEACHER EDUCATION AND COMPUTER CENTER

Staff development programs emphasizing math, science and computer education

_____Yes _____No _____DK/NA

Hardware and software evaluation

_____Yes _____No _____DK/NA

12. MICROCOMPUTER EDUCATION PROGRAM

Workshops in classroom (K-12) computer use

_____Yes _____No _____DK/NA

Workshops in administrative uses of computers

_____Yes _____No _____DK/NA

Assistance in hardware and software selection

_____Yes _____No _____DK/NA

Assistance in designing instructional programs

_____Yes _____No _____DK/NA

13. THE SCHOOL EFFECTIVENESS PROGRAM

Basic School Profile Assessment service for elementary schools

_____Yes _____No _____DK/NA

Consultation services for Profile interpretation and assistance in applying school effectiveness research

_____Yes _____No _____DK/NA

COE MANDATED/KEY SERVICES AND MARKET SURVEY

FILM LIBRARY

1. Do districts in your county contract with you for audio-visual services?

   Yes _____ No _____ DK/NA _____

2. If no, do you contract with another agency to provide services to the districts in your county?

   _____ Yes (specify which one) _____

   _____ No DK/NA _____

   If yes, do you contribute funds in addition to the funds paid by the districts?

   _____ Yes (what percent) _____

   _____ No DK/NA _____

3. Do you charge the programs from your office for your services?

   Yes _____ No _____ DK/NA _____

   If yes, on what is the charge for internal services based?

   _____

If answer to 1 is yes, answer 4 through 15.

4. On what is the charge for district services based?

   _____ ADA

   _____ Number of Teachers

   _____ Other (specify) _____

   What is the current rate? _____

5. What percent of program expenses are funded by contract rates?

   _____ 50% to 75% _____ 76% to 100%

   _____ Other (specify) _____

6. What percent is funded from other sources?

   _____ General fund _____ Other purpose fund

   _____ Other (specify) _____

7. How many employees (Full Time Equivalent) are involved in providing audio-visual services?

_____ Management _____ Certificated

_____ Technical/Clerical _____ Classified Supervisory

8. Do you provide delivery services?

Yes _____ No _____ DK/NA _____

If yes, how many days a week do you deliver?

_____ 5 _____ 2

_____ 4 _____ 1

_____ 3 _____ Other (specify) _____

9. Do you provide service to nonpublic schools/agencies?

Yes _____ No _____ DK/NA

On what is the nonpublic school charge for services based?

_____ Cost per film _____ Other (specify) _____

What is the current rate? _____

Is delivery provided?

Yes _____ No _____ DK/NA

10. How much money is spent annually for the purchase of films? _____

11. How much money is spent annually for the purchase of videotapes? _____

12. What is the format of the videotape collection?

_____ VHS _____ Betamax

_____ 3/4" _____ Other (specify) _____

13. What other services are provided besides AV/film library?

_____

_____

How do you charge districts for these services?

_____

_____

How do you charge internal programs for these services?

_____

_____

14. What is the annual circulation of film/videotape? _____

How do you compute circulation?

_____ Number of times film is sent out

_____ Number of days film is out

_____ Other (specify) _____

15. What is the size of the film collection?

Film		Video		Other (specify) _____	
_____	Titles	_____	Titles	_____	Titles
_____	Prints	_____	Prints	_____	Prints

16. Are you interested in contracting with the Santa Clara County Office of Education for film library services?

Yes _____ No _____ DK/NA

COE MANDATED/KEY SERVICES AND MARKET SURVEY

PROFESSIONAL LIBRARY

1. Do you provide professional library services to the districts in your county?

   Yes _____ No _____ DK/NA _____

2. If "No", do you contract for professional library services?

   Yes _____ (from whom) _____

   No _____ DK/NA _____

If answer to 1 is yes, answer 3 to 7.

3. Do you charge for professional library services?

   Yes _____ No _____ DK/NA _____

   If "Yes", what is the rate? _____

4. How many employees (Full Time Equivalent) in each category are involved in providing professional library services?

   _____ Management _____ Supervisory

   _____ Certificated Librarian _____ Other Certificated

   _____ Technical/Clerical

5. What is the size of the library collection?

   _____ Books _____ Periodicals

   _____ Other (specify)_____

6. What is the annual circulation of the library materials?

   _____ Books _____ Periodicals

   _____ Other (specify)_____

7. How much money is budgeted annually for materials?

   _____ Books _____ Subscriptions

   _____ Memberships _____ Supplies

   _____ Other (specify) _____

8. Are you interested in contracting with the Santa Clara County Office of Education for professional library services?

Yes _____ No _____ DK/NA _____

MATERIALS IN BRAILLE

1. Which department in your office orders Braille and large print materials from the state for grades K-8 for districts in your county?

_____

STATE ADOPTED INSTRUCTIONAL MATERIALS FOR 901 and 1501 DISTRICTS

1. Do you keep an accounting of the 901 and 1501 districts' allotments for state adopted instructional materials?

Yes _____ No _____ DK/NA _____

2. Do the 901s and 1501s purchase state approved instructional materials through a cooperative agreement?

Yes _____ No _____ DK/NA _____

If yes, who coordinates the purchase program?

_____ Your county office

_____ One of the districts

_____ A consortium of the districts

_____ Other (specify) _____

INSTRUCTIONAL MATERIALS FUND

1. Which department in your office is responsible for placing the orders for instructional materials for Special Education and Juvenile Court Schools purchased from the Instructional Materials Fund?

_____ Program requesting the materials

_____ Purchasing department

_____ Educational media/instructional materials center

_____ Other (specify) _____

2. If the programs requesting materials from the Instructional Materials Fund are not responsible for placing the orders, do they provide staff for the processing and receiving of orders?

Yes _____ No _____ DK/NA _____

If yes, how many employees (Full Time Equivalent) do they provide? _____

3. Is the Instructional Materials Fund augmented by local funds for purchasing other instructional materials?

Yes _____ No _____ DK/NA _____